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*Time-
Dated
Material*

The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by sections 82011, 87303, and 87304 of the Government Code to review proposed conflict of interest codes, will review the amended conflict of interest codes of the following agencies:

CONFLICT OF INTEREST CODE

AMENDMENTS

STATE AGENCY:

California Unemployment Insurance Appeals Board

A written comment period has been established commencing on **November 22, 2002**, and closing on **January 6, 2003**. Written comments should be directed to the Adrienne Korchmaros, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed amendment to the conflict of interest code will be submitted to the Commission's Executive Director for review, unless any interested person, or his or her duly authorized representative, requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed amendment will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced amendment to the conflict of interest code, proposed pursuant to Government Code section 87300, which designates, pursuant to Government Code section 87302, employees who must disclose certain investments, interests in real property, and income.

The Executive Director or the Commission, upon his or her own motion or at the interest of any

interested person, will approve, or revise and approve, or return the amendment to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments, or comments, in writing to the Executive Director of the Commission, relative to review of the proposed amendment to the conflict of interest code. Any written comments must be received no later than **January 6, 2003**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses, or small businesses.

AUTHORITY

Government Code sections 82011, 87303, and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest code shall approve codes as submitted, revise the proposed code, and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Adrienne Korchmaros, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. STATE PERSONNEL BOARD

NOTICE OF PROPOSED AMENDMENT AND REPEAL OF REGULATIONS AND STATEMENT OF REASONS

California Code of Regulations

Title 2. Administration

Division 1. Administrative Personnel and

Division 5. Local Agency Personnel Standards

DATE: November 22, 2002

TO: ALL STATE AND LOCAL AGEN-
CIES, EMPLOYEE ORGANIZA-
TIONS, AND MEMBERS OF THE
GOVERNOR'S CABINET

SUBJECT: Proposed Amendment to California
Code of Regulations, Title 2 (2CCR)
§ 547.80 and Repeal of 2CCR
§ 547.81; and Proposed Amendment
to Local Agency Personnel Standards,
2CCR §§ 17030, 17111, 17112, 17151
and Repeal of § 17434, Regulations
Related to Equal Employment Oppor-
tunity Activities in State and Local
Agencies

AUTHORITY

Under the authority established in Government Code § 18701, the State Personnel Board (SPB) proposes to amend § 547.80 and repeal § 547.81 under Title 2, Division 1 of the California Code of Regulations.

Under the authority established in Government Code § 19801, SPB proposes to amend §§ 17030, 17111, 17112, and 17151; and repeal § 17434, under Title 2, Division 5 of the California Code of Regulations.

REFERENCE

These regulations implement, interpret, and/or make specific Government Code §§ 19790 through 19799 and Government Code §§ 19800 through 19810.

PUBLIC HEARING

Date and Time: January 7, 2003, from 9:30 to 10:00 a.m.

Place: San Francisco Civic Center
455 Golden Gate Avenue,
Auditorium
San Francisco, CA 94102

Purpose: To receive oral comments about this action.

WRITTEN PUBLIC COMMENT PERIOD

The written public comment period will close January 6, 2003, at 5:00 p.m. This comment period allows time for SPB staff to provide copies of any written comments to the five-member State Personnel Board (Board) for their consideration at the time of the hearing. Any person may submit written comments about the proposed regulatory changes at the hearing. To be considered by the Board, the appropriate person identified below must receive written comments before the close of the forty-five (45) day comment period.

For 2CCR §§ 547.80 and 547.81, direct written comments to Ted Edwards at the State Personnel Board, 801 Capitol Mall, MS 12, Sacramento, CA 95814, or to tedwards@spb.ca.gov, or fax comments to his attention at (916) 651-9016.

For 2CCR §§ 17030, 17111, 17112, 17151, and 17434, direct written comments to Susan Helland at Cooperative Personnel Services, Local Government Services, 241 Lathrop Way, Sacramento, CA 95815, or to susanh@cps.ca.gov, or fax comments to her attention at (916) 648-1211.

AVAILABILITY OF PROPOSED TEXT AND STATEMENT OF REASONS/ CONTACT PERSONS

Copies of the express terms of each proposed action, Statement of Reasons, and all of the information upon which each proposal is based are available upon request from SPB's contact person. The rulemaking file and related court decision documents are available for review during normal business hours at the State Personnel Board, 801 Capitol Mall, Sacramento, CA 95814. Additional information or questions regarding the substance of the proposed actions should be directed to the appropriate contact person listed above. The backup agency contact for either proposal is Steve Unger at the State Personnel Board, (916) 651-8461 or TDD (916) 653-1498. Questions regarding the regulatory process in conjunction with these proposals should be directed to the backup contact person.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

If any substantial and sufficiently related changes are made to the text of either proposal as a result of comments received during the public comment period, SPB will make the full text of the changed regulation(s) available for at least fifteen (15) days before the date the regulation(s) is permanently adopted.

DOCUMENTS RELIED UPON

Connerly v. State Personnel Board (2001) 92 Cal. App. 4th 16.

Hazelwood School District v. United States (1977), 433 U.S. 299, at 308, n 14.

DOCUMENT INCORPORATED BY REFERENCE

“Interim Guidelines for Conducting the Annual Analysis of the State Work Force,” State Personnel Board, March 2002. This document is available for review during normal business hours at the State Personnel Board, 801 Capitol Mall, Sacramento, CA 95814, and may also be obtained by contacting Ted Edwards at the State Personnel Board, 801 Capitol Mall, MS 12, Sacramento, CA 95814, or at tedwards@spb.ca.gov.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

Government Code § 18701 authorizes the Board to prescribe, amend, and repeal regulations for the administration and enforcement of the Civil Service Act (Government Code §§ 18500 et seq.).

Government Code § 19705 authorizes the Board to collect, on a voluntary basis, from applicants for State civil service employment, minority and gender data to assess the fairness of the selection process and to the planning and monitoring of affirmative action efforts.

Government Code § 11092.5 requires the State to maintain statistical data of minority groups.

Government Code § 18523 defines “class” as a group of positions sufficiently similar with respect to duties and responsibilities that the same title and test for fitness may be used for them, the same minimum qualifications may be required and the same schedule of compensation may be applied.

Government Code § 19702.1 requires that hiring and promotions in the civil service conform to the Federal Civil Rights Act of 1964 (42 USC §§ 2000e-2 et seq.). Title VII of the Act prohibits practices, procedures, or policies that have an adverse impact on employees or applicants for employment unless they are justified by business necessity. It also prescribes practices which “tend to deprive” persons of equal employment opportunity, such as preferential treatment for one group of persons over another.

Government Code §§ 19790 et seq. enumerate the requirements of the State Civil Service Affirmative Action Program, including the requirement that State agencies establish goals and timetables to eliminate identified underutilization in employment. Government Code § 19792 specifically authorizes the Board to develop, implement, and maintain affirmative action and equal employment opportunity guidelines, to include maintaining statistical information to determine the underutilization of minorities and women.

Government Code §§ 19800 through 19810 authorize SPB to establish and maintain merit-based personnel standards, by regulation, for local government agencies receiving funds for programs and services established under the Social Security Act,

Public Health Service Act, and Federal Civil Defense Act. The regulations promulgated by the Board for the local agency merit systems are known as the Local Agency Personnel Standards (LAPS).

The U.S. Supreme Court held in *Hazelwood School District v. United States* that gross statistical disparities between the composition of the employer’s work force and that of the relevant labor force constitutes a prima facie case of a pattern or practice of employment discrimination under Title VII of the Civil Rights Act of 1964. The court held that once a prima facie case was established by statistical work force disparities, the burden shifts to the employer to articulate some legitimate, nondiscriminatory reason for its action.

The California Third District Court of Appeal issued a published decision in *Connerly v. State Personnel Board* which concluded that establishing employment goals violates principles of equal protection as well as the California Constitution as amended by Proposition 209. The court upheld those statutory provisions that require the collection and reporting of underutilization of minorities and women in State agencies to monitor employment practices and, under limited circumstances, upheld the provision permitting SPB to adjust layoff based on a finding of past discrimination.

The proposed regulatory changes respond to the findings of court decisions concerning equal employment opportunity programs for State agencies and local merit system agencies. The following summarizes the proposed changes:

- Updates the terminology and definitions used in connection with work force data collection and evaluation of equal employment opportunity within the State civil service and local agency merit systems.
- Repeals State civil service regulation, 2CCR § 547.81, that provides guidelines for the establishment of equal employment opportunity goals and timetables process for minorities and women.
- Repeals local agency merit system regulation, 2CCR § 17434, and deletes any current text that allows special recruitment for underrepresented groups.

IMPACT ON SMALL BUSINESSES

The proposed regulations will not impact small businesses. The proposed amendments would affect only State and applicable local agencies and their employees.

LOCAL MANDATE

The proposed regulatory action mandates those local agencies receiving funds from State or federal government as defined under Government Code § 19705 to remain in compliance with federal law.

This action has no mandate upon school districts and, therefore, requires no reimbursement pursuant to Government Code § 17561.

COST ESTIMATES OF PROPOSED ACTION

Costs of Saving to State Agencies

Any additional costs or savings that the proposed amendment may cause for state and applicable local agencies will be negligible.

Impact on Housing Costs

The proposal will not affect housing costs.

Costs of Savings in Federal Funding to the State

No impact.

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

The proposals do not impose nondiscretionary costs or savings on local agencies.

Cost Impact on Representative Private Persons or Businesses

SPB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed actions.

**ASSESSMENT OF POTENTIAL ADVERSE
ECONOMIC IMPACT ON BUSINESS**

SPB has determined that the proposed actions will have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

**ASSESSMENT REGARDING THE EFFECT ON
JOBS OR BUSINESSES**

The proposals will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

DETERMINATION

SPB must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which this action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

SPB invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

FINAL STATEMENT OF REASONS

Upon completion, copies of the Final Statement of Reasons for each proposal may be obtained from the appropriate contact person or the backup contact person.

**ACCESSING INFORMATION REGARDING THIS
RULEMAKING FILE ON THE STATE
PERSONNEL BOARD WEBSITE**

The text of the proposed amendments in under-line and strikeout, as well as the Notice of Proposed Amendment and Repeal of Regulations and Statement of Reasons, will be on SPB's Web site at www.spb.ca.gov.

**TITLE 2. STATE
PERSONNEL BOARD**

**NOTICE OF PROPOSED AMENDMENTS AND
ADOPTION OF REGULATIONS AND
STATEMENT OF REASONS**

California Code of Regulations

Title 2. Administration

Division 1. Administrative Personnel

Chapter 1. State Personnel Board

**Subchapter 1. General Civil
Service Regulations**

**Article 21. Layoff and Demotion
and**

Title 2. Local Agency Personnel Standards

Division 5. Local Agency Personnel Standards

Chapter 2. Merit Systems Regulations

**Article 6. Appointments, Transfers
and Nonpunitive Separations and Demotions
Subarticle 4. Reduction in Force**

DATE: November 22, 2002

**TO: ALL STATE AND LOCAL AGEN-
CIES, EMPLOYEE ORGANIZA-
TIONS, AND MEMBERS OF THE
GOVERNOR'S CABINET**

**SUBJECT: Proposed Amendments to California
Code of Regulations, Title 2 (2CCR)
§§ 470, 470.1, 471, and 472; Adoption
of 2CCR § 471.1—Layoff Rules; and
Amendments to Local Agency Person-
nel Standards 2CCR §§ 17502 and
17520—Modified Reduction-in-Force
Process**

AUTHORITY

Under the authority established in Government Code § 18701, the State Personnel Board (SPB) proposes to amend 2CCR §§ 470, 470.1, 471, and 472 and adopt 2CCR § 471.1.

Under the authority established in Government Code § 19801, SPB proposes to amend 2CCR §§ 17502 and 17520.

REFERENCE

These regulations are being amended and adopted to implement, interpret, and/or make specific Government Code § 19798.

PUBLIC HEARING

Date and Time: January 7, 2003, from 10:15 to 10:45 a.m.

Place: San Francisco Civic Center
455 Golden Gate Avenue,
Auditorium
San Francisco, California 94102

Purpose: To receive oral public comments about this action.

WRITTEN PUBLIC COMMENT PERIOD

The written public comment period will close January 6, 2003, at 5:00 p.m. This comment period allows time for SPB staff to provide copies of any written comments to the five-member State Personnel Board (Board) for their consideration at the time of the hearing. Any person may submit written comments about the proposed regulatory changes at the hearing. To be considered by the Board, the appropriate person identified below must receive written comments before the close of the forty-five (45) day comment period.

For 2CCR §§ 470, 471, 471.1, and 472, direct written comments to the attention of Elizabeth Montoya at the State Personnel Board, P.O. Box 944201, MS 55, Sacramento, CA 94244-2010. Written comments may also be e-mailed to Elizabeth Montoya at emontoya@spb.ca.gov or faxed to (916) 653-1280.

For 2CCR §§ 17502 and 17520, direct written comments to Susan Helland at Cooperative Personnel Services, Local Government Services, 241 Lathrop Way, Sacramento, CA 95815, or to susanh@cps.ca.gov, or fax comments to (916) 648-1211.

AVAILABILITY OF PROPOSED TEXT AND STATEMENT OF REASONS/ CONTACT PERSONS

Copies of the express terms of each proposed action, Statement of Reasons, and all of the information upon which each proposal is based are available upon request from SPB's contact person. The rulemaking file and related court decision documents are available for review during normal business hours at the State Personnel Board, 801 Capitol Mall, Sacramento, CA 95814. Additional information or questions regarding the substance of the proposed actions should

be directed to the appropriate contact person listed above. The backup agency contact for either proposal is Steve Unger at the State Personnel Board, (916) 651-8461 or TDD (916) 653-1498. Questions regarding the regulatory process in conjunction with these proposals should be directed to the backup contact person.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

If any substantial and sufficiently related changes are made to the text as a result of comments received during the public comment period, SPB will make the full text of the changed regulation available for at least 15 days before the date the regulation is permanently amended.

DOCUMENT RELIED UPON

Connerly v. State Personnel Board (2001) 92 Cal. App. 4th 16, henceforth referred to as *Connerly v. SPB*.

DOCUMENTS INCORPORATED BY REFERENCE

SPB 1070, State Employee Race/Ethnicity Questionnaire (7/02), and SPB 131A, State Employee Disability Questionnaire Resurvey (6/01). These documents are included as attachments to this notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Government Code § 18701 authorizes SPB to prescribe, amend, and repeal regulations for the administration and enforcement of the Civil Service Act (Government Code §§ 18500 et seq.).

Government Code § 19801 authorizes SPB to, by regulation, establish and maintain personnel standards on a merit basis for local agencies. Government Code § 19803 allows SPB to administer the Interagency Merit System in a local agency not administering its own merit system.

Government Code § 19798 authorizes SPB to adjust the order of layoff and reemployment, to maintain racial and gender composition of an affected workforce, when it finds evidence of past discriminatory hiring practices. While the California Third Appellate District Court found in *Connerly v. SPB* that Government Code § 19798 is not facially invalid under equal protection principles, it did find that the more restrictive Proposition 209 would preclude the alteration of layoff and reemployment schemes unless required by federal law or the United States Constitution, or in cases where failure to employ such schemes would result in the loss of federal funds. The court further stated that any attempt by SPB to implement an altered layoff and reemployment scheme pursuant to

Government Code § 19798 would be subject to the restrictions of Proposition 209 and to strict judicial scrutiny for equal protection purposes.

As a result of this decision, the provisions of Government Code § 19798 may only be implemented if a department facing layoff would become ineligible for federal funds as a result of the failure to adjust the order of layoff and reemployment and/or is required by federal law or the United States Constitution to alter layoff and reemployment schemes.

In cases where one of these conditions exists and Government Code § 19798 is indeed applicable, a department facing layoff shall seek SPB review.

Current 2CCR, §§ 470, 470.1, 471, and 472 serve as a means for SPB to carry out Government Code § 19798. The existing process under these rules require SPB to review the past hiring practices of a State department undergoing layoff in order to determine if discrimination has occurred and whether an adjustment of the layoff process is warranted.

Current 2CCR, §§ 17502 and 17520 serve as a means for SPB to authorize modifications of the layoff process of the departments under Interagency Merit System jurisdiction to remedy the effects of the discriminatory or illegal practice.

SPB is proposing to amend 2CCR, §§ 470, 470.1, 471, 472, 17502, and 17520 and adopt § 471.1 to ensure that the regulations are in accordance with the parameters set forth in the *Connerly v. SPB* interpretation of Government Code § 19798.

Therefore, the proposed amendments to §§ 470, 470.1, 471, and 472 and the adoption of § 471.1 will provide State departments with essential directions when implementing a layoff. The proposed amendment to §§ 17502 and 17520 will also provide local agencies with essential directions when implementing a layoff.

IMPACT ON SMALL BUSINESSES

No impact on small businesses is anticipated. The proposed amendments would affect only State and applicable local agencies and their employees.

LOCAL MANDATE

SPB has determined that the proposed action has no mandate upon local agencies or school districts and therefore requires no reimbursement pursuant to Government Code § 17561.

COST ESTIMATES OF PROPOSED ACTION

Costs or Savings to State Agencies:

It is anticipated that any additional costs or savings that the proposed amendment may cause for State agencies and applicable local agencies will be negligible.

Impact on Housing Costs:

The proposal will not affect housing costs.

Costs of Savings in Federal Funding to the State:

No impact.

Other Nondiscretionary Costs or Savings Imposed on Local Agencies:

The proposal does not impose nondiscretionary costs or savings on local agencies.

Cost Impact on Representative Private Persons or Businesses:

SPB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF POTENTIAL ADVERSE ECONOMIC IMPACT ON BUSINESS

SPB has made an initial determination that the proposed action will have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

ASSESSMENT REGARDING THE EFFECT ON JOBS OR BUSINESSES

The proposed amendment will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

DETERMINATION

SPB must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which this action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

SPB invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained from the contact person or the backup contact person.

ACCESSING INFORMATION REGARDING THIS RULEMAKING FILE ON SPB WEB SITE

The text of the proposed regulation amendments and adoption in underline and strikeout, as well as the Notice of Proposed Amendments and Adoption of Regulations and Statement of Reasons, will be on SPB's Web site at: www.spb.ca.gov.

STATEMENT OF REASONS

Government Code § 19798 authorizes SPB to adjust the order of layoff and reemployment, to maintain racial and gender composition of an affected workforce, when it finds evidence of past discriminatory hiring practices. Existing 2CCR, §§ 470, 470.1, 471, and 472 serve as a means for SPB to implement the provisions of Government Code § 19798. In addition, existing 2CCR §§ 17502 and 17520 serve as a means for SPB to authorize modifications of the layoff process of the departments under Interagency Merit System jurisdiction to remedy the effects of the discriminatory practice.

Due to this year's projected State budget deficit, layoffs of State employees are already occurring. The current regulations do not reflect the court's determination. The proposed amendments of §§ 470, 470.1, 471, and 472, the adoption of § 471.1 and proposed amendment of §§ 17502 and 17520 are necessary to ensure immediate compliance and provide direction to State departments and local agencies on the court's ruling.

TITLE 5. COMMISSION ON TEACHER CREDENTIALING

ADDITIONAL ASSIGNMENT AUTHORIZATIONS FOR SPECIFIC SPECIAL EDUCATION CREDENTIALS

NOTICE OF PROPOSED RULEMAKING

The California Commission on Teacher Credentialing proposes to amend regulatory action described below after considering all comments, objections and recommendations regarding the proposed action.

PUBLIC HEARING

A public hearing on the proposed actions will be held:

January 9, 2003

10:00 am

California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, California 95814

Oral comments on the proposed action will be taken at a public hearing. We would appreciate 14 days advance notice in order to schedule sufficient time on the agenda for all speakers. Please contact Terri H. Fesperman at 916-323-5777 regarding this. Any person wishing to submit written comments at the public hearing may do so. It is requested, but not required, that persons submitting such comments provide fifty copies to be distributed to the commissioners and interested members of the public. All

written statements submitted at the hearing will, however, be given full consideration regardless of the number of copies submitted.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by e-mail on the proposed action. The written comment period closes at 5:00 p.m. on January 8, 2003. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 322-0048; write to the California Commission on Teacher Credentialing, attn. Terri H. Fesperman, 1900 Capitol Avenue, Sacramento, California 95814-4213; or submit an email at tfesperman@ctc.ca.gov.

Any written comments received 14 days prior to the public hearing will be reproduced by the Commission's staff for each Commissioner as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

AUTHORITY AND REFERENCE

Education Code Section 44225(q) authorizes the Commission to adopt the proposed action, which will implement, interpret or make specific Sections 44225(b) and 44225(e) of the Education Code and govern the procedures of the Commission.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Regulations

Education Code Section 44225 provides that the Commission may promulgate rules and regulations. Existing laws and regulations allow special education credential holders to serve students in grades K-12 with General and Standard Teaching Credentials; preschool, grades K-12 and adults with Ryan Credentials; and grades K-12 with Education Specialist Credentials. In addition, low incidence special education areas allow service in ages birth to age 22 for holders of the Education Specialist Credential

80020.1(a) Staff is proposing that the Commission allow individuals that hold specific special education credentials who consent to the assignment and have the appropriate experience by the sunset date to be assigned to serve students at the preschool level.

80020.1(b) Staff is proposing that the Commission allow individuals that hold specific special education credentials who consent to the assignment and have the appropriate experience by the sunset date to be assigned to serve students at the birth to preschool level.

80020.1(c) Staff is proposing that the Commission allow individuals that hold specific special education credentials who consent to the assignment and have the appropriate experience by the sunset date to be assigned to serve students at the birth to pre-kindergarten level.

Documents Incorporated by Reference: None
Documents Relied Upon in Preparing Regulations: None

DISCLOSURES REGARDING THE PROPOSED ACTIONS

The Commission has made the following initial determinations:

Mandate to local agencies or school districts: None
Other non-discretionary costs or savings imposed upon local agencies: None
Cost or savings to any state agency: None.
Cost or savings in federal funding to the state: None.

Significant effect on housing costs: None.
Significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states: None.

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with Section 17500) of the Government Code.

Cost impacts on a representative private persons or business: The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Assessment regarding the creation or elimination of jobs in California [Govt. Code § 11346.3(b)]: The Commission has made an assessment that the proposed amendments to the regulation would not (1) create nor eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

Effect on small businesses: The Commission has determined that the proposed amendment to the regulations does not affect small businesses. The regulations are not mandatory but an option that affects school districts and county offices of education.

CONSIDERATION OF ALTERNATIVES

The Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons or small businesses than the proposed action.

Interested individuals may present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSON/FURTHER INFORMATION

General or substantive inquiries concerning the proposed action may be directed to Terri H. Fesperman by telephone at (916) 323-5777 or Terri H. Fesperman, California Commission on Teacher Credentialing, 1900 Capitol Ave, Sacramento, CA 95814. General question inquiries may also be directed to Rhonda Stearns at (916) 323-7140 or at the address mentioned in the previous sentence. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. This information is also available on the Commission's web site at www.ctc.ca.gov In addition, all the information on which this proposal is based is available for inspection and copying.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice of Register, the rulemaking file consists of this notice, the proposed text of regulations, and the initial statement of reasons.

MODIFICATION OF PROPOSED ACTION

If the Commission proposes to modify the actions hereby proposed, the modifications (other than non-substantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

AVAILABILITY OF FINAL STATEMENT OF REASONS

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rulemaking package, after the public hearing. When it is available, it will be placed on the Commission's web site at www.ct.ca.gov or you may obtain a copy by contacting Terri H. Fesperman at (916) 323-5777.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons and the text of the regulations in underline and strikeout can be accessed through the Commission's web site at www.ct.ca.gov.

TITLE 5. SUPERINTENDENT OF PUBLIC INSTRUCTION

NOTICE OF PROPOSED RULEMAKING

Appeal and Dispute Resolution Procedures—Child Care Development Programs

The State Superintendent of Public Instruction (Superintendent) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

The Superintendent will hold a public hearing starting at 10:00 a.m. on January 8, 2003 at 1430 N Street, Room 4101. The room is wheelchair accessible. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Superintendent requests that any person desiring to present statements or arguments orally notify the Regulations Adoption Coordinator of such intent.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Regulations Adoption Coordinator. The written comment period closes at **5:00 p.m. on January 8, 2002**. Requests to present oral statements at the public hearing or written comments for the Superintendent's consideration should be directed to:

Debra Strain, Regulations Adoption Coordinator
California Department of Education
LEGAL DIVISION

1430 N Street, Room 5319
Sacramento, California 94244-2720
Telephone: (916) 319-0641
FAX number: (916) 319-0155
E-mail: dstrain@cde.ca.gov

AUTHORITY AND REFERENCE

Authority: Sections 8261 and 8407, Education Code.
Reference: Sections 8400–8409, Education Code.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Education Code sections 8261 and 8400 et seq., and Title 5, California Code of Regulations (CCR), Section 18300 et seq., require that the State Superintendent of Public Instruction (Superintendent) review and monitor child development contractors.

Section 18301 of Title 5 of the CCR authorizes the Superintendent to make appeal and dispute resolution procedures available to all agencies contracted with

the California Department of Education to provide child care and development services. Such appeals result from termination or suspension of the contract during the contract period.

Currently, termination or suspension of the contract may occur when the contractor has failed to correct items of fiscal or programmatic non-compliance within six months of receiving a conditional contract, or the contractor engages in serious misconduct posing an immediate threat to health and safety or to State funds, or other good cause as determined by the Superintendent. The Superintendent must continue to have access to family files maintained by its contractors and access to programs operated by contractors if it is to uphold its responsibility to monitor performance of contractors and correct deficiencies. Therefore, the proposed regulation adds the denial of access to records or programs as good cause for termination.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: None

Cost or savings to any state agency: None

Cost to any local agency or school district which must be reimbursed in accordance with Government Code section 17561: None

Other non-discretionary cost or savings imposed upon local educational agencies: None

Cost or savings in federal funding to the state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

Cost impact on a representative private person or business: The Superintendent is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: The superintendent has made an initial determination that the proposed regulatory action would not affect housing costs.

“Affect on small businesses: The proposed regulations will have no effect on small businesses because they only related to Department of Education access to documents and facilities produced as a direct result of Department of Education funding. The proposed

regulations do not impose additional workload on small businesses, school districts, or contractors funded by the Department.”

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Superintendent must determine that no reasonable alternative considered by the Superintendent or that has otherwise been identified and brought to the attention of the Superintendent would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The Superintendent invites interested persons to present statements or arguments regarding alternatives to the proposed regulations at the above-mentioned hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed action should be directed to:

Greg Hudson, Manager
California Department of Education
Child Development Division
1430 N Street, 6th Floor
Sacramento, California 94244-2720
Telephone (916) 323-1300
FAX: (916) 323-6853

Requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other technical information upon which the rulemaking is based or questions on the proposed administrative action may be directed to the Regulations Adoption Coordinator.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Adoption Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at her office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. A copy may be obtained by contacting the Regulations Adoption Coordinator at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the Superintendent may adopt the proposed regulations substantially as described in this notice. If the Superintendent makes modifications which are sufficiently related to

the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before the Superintendent adopts the regulations as revised. Requests for copies of any modified regulations should be sent to the attention of the Regulations Adoption Coordinator at the address indicated above. The Regulations Adoption Coordinator will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons may be obtained by contacting the Regulations Adoption Coordinator at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, the text of the regulations in underline and strikeout, and the Final Statement of Reasons, can be accessed through the California Department of Education's website at <http://www.cde.ca.gov/regulations>.

TITLE 13. CALIFORNIA HIGHWAY PATROL

NOTICE OF PROPOSED REGULATORY ACTION

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 6.5
AMEND ARTICLE 7.5, SECTION 1239

COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD OUT-OF-SERVICE CRITERIA (CHP-R-02-06)

The California Highway Patrol (CHP) proposes to adopt by reference the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria, April 1, 2002, in Title 13, California Code of Regulations (13 CCR). The current regulation adopts by reference the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria, April 1, 2001.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Section 34501(a)(1) of the California Vehicle Code (VC) authorizes the CHP to adopt reasonable rules and regulations which, in the judgment of the Department, are designed to promote the safe operation of vehicles

described in Section 34500 VC. The rules and regulations are regarding, but not limited to, controlled substances and alcohol testing of drivers by motor carriers, drivers hours-of-service qualifications, equipment, fuel containers, fuel operations, inspection, maintenance, record keeping, accident reports and drawbridges. Section 2402 VC provides the Commissioner with the authority to "make and enforce such rules and regulations as may be necessary to carry out the duties of the Department" and Section 2410 VC provides the authority for the CHP to place vehicles out-of-service (Attorney General's Opinion NS 2520) in order to "ensure safety." Current regulations, adopting by reference the Commercial Vehicle Safety Alliance North America Standard Out-of-Service Criteria, April 1, 2001 Edition, extends applicability to those vehicles listed in sections 260, 322, 15210 and 34500.

The intent of these regulations is to adopt specific uniform criteria for determining whether or not a vehicle and/or driver, inspected by a member of the CHP, is in such an unsafe condition that they are likely to constitute a hazard on a highway. These regulations will incorporate by reference specified portions of the standards contained within the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria, April 1, 2002 Edition. Renewal of this criteria will continue to provide consistency throughout California, with neighboring states, Canada and Mexico, and provide a regulatory basis for enforcement efforts as they relate to commercial vehicle out-of-service criteria.

PUBLIC COMMENTS

Any interested person may submit written comments on this proposed action via facsimile at (916) 446-4579, by email to cvsregs@chp.ca.gov, or by writing to:

CHP, Enforcement Services Division
Commercial Vehicle Section
ATTN: Sergeant Sherie Latimer
P.O. Box 942898
Sacramento, CA 94298-0001

Written comments will be accepted until 5:00 PM, January 6, 2003.

No public hearing has been scheduled. If any person desires a public hearing, a written request must be received by the CHP, Commercial Vehicle Section, no later than 15 days prior to the close of the written comment period.

AVAILABILITY OF INFORMATION

The CHP has available for public review an initial statement of reasons for the proposed regulatory action, the information upon which this action is based (the rulemaking file), and the proposed regula-

tion text. Requests to review or receive copies of this information should be directed to the CHP at the above address, by facsimile at (916) 446-4579 or by calling the CHP, Commercial Vehicle Section, at (916) 445-1865. All requests for information should include the following information: the title of the rulemaking package, the requester's name, proper mailing address (including city, state and zip code), and a daytime telephone number in case the information is incomplete or illegible.

The rulemaking file is available for inspection at the CHP, Commercial Vehicle Section, 444 North Third Street, Sacramento, California. Interested parties are advised to call for an appointment.

All documents regarding the proposed action are also available through our web site at www.chp.ca.gov/regulations.

Any person desiring to obtain a copy of the adopted text and a final statement of reasons may request them at the above noted address. Copies will also be posted on our web site.

CONTACT PERSON

Any inquiries concerning the written materials pertaining to the proposed regulations or questions regarding the substance of the proposed regulations should be directed to Sergeant Sherie Latimer or Officer Tom Lundy, CHP, Commercial Vehicle Section, at (916) 445-1865.

ADOPTION OF PROPOSED REGULATIONS

After consideration of public comments, the CHP may adopt the proposal substantially as set forth without further notice. If the proposal is modified prior to adoption and the change is not solely grammatical or nonsubstantive in nature, the full text of the resulting regulation, with the changes clearly indicated, will be made available to the public for at least 15 days prior to the date of adoption.

FISCAL AND ECONOMIC IMPACT

The CHP has made an initial determination that this proposed regulatory action: (1) will have no affect on housing costs; (2) will not impose any new mandate upon local agencies or school districts; (3) involves no nondiscretionary or reimbursable costs or savings to any local agency, school district, state agency, or federal funding to the state; (4) will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California; and (5) will not have a significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states. The regulated community is

encouraged to respond during the comment period of this regulatory process if significant impacts are identified.

**COST IMPACTS ON REPRESENTATIVE
PRIVATE PERSONS OR BUSINESSES**

The California Highway Patrol is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON SMALL BUSINESSES

The California Highway Patrol has determined that the proposed regulatory action may affect small businesses.

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the CHP must determine that no reasonable alternative considered by the CHP, or that has otherwise been identified and brought to the attention of the CHP, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. The CHP invites interested parties to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

AUTHORITY

This regulatory action is being taken pursuant to Sections 2402, 2410, 31401 and 34501(a) VC.

REFERENCE

This action implements, interprets, or makes specific Sections 260, 322, 2402, 2410, 12500, 12502, 12515(b), 14603, 15210, 15250, 15275, 15278, 23152, 24002, 24400, 24252, 24600, 24603, 24604, 24952, 27154, 27155, 27465, 27501, 27903, 29001, 29002, 29003, 29004, 31401, 34500, 34501, 34506 and 34510 VC.

**TITLE 15. DEPARTMENT
OF CORRECTIONS**

**NOTICE OF ADOPTION OF
EMERGENCY REGULATIONS**

**California Code of Regulations
Title 15, Crime Prevention and Corrections
Division 3**

NOTICE IS HEREBY GIVEN that the Director of the Department of Corrections (CDC), pursuant to rulemaking authority granted by Penal Code (PC) Section 5058, in order to implement, interpret and make specific PC Section 5054, proposes to amend

section 3097 in the California Code of Regulations (CCR), Title 15, Division 3 relating to the restitution fine and direct order collection.

PUBLIC HEARING

Date and Time: January 14, 2003 from 9am–11am

Place: Department of Water Resources
Auditorium
1416 Ninth Street
Sacramento, CA 95814

Purpose: To receive comments about this action.

PUBLIC COMMENT PERIOD

The public comment period will close January 14, 2003 at 5pm. Any person may submit public comments in writing (by mail, by fax or by e-mail) regarding the proposed changes. To be considered by the Department, comments must be submitted to the Department of Corrections, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; by fax at (916) 322-3842; or by e-mail at RPMB@executive.corr.ca.gov before the close of the comment period.

CONTACT PERSON

Please direct any inquiries regarding this action to:

**Rick Grenz, Chief
Regulation and Policy Management Branch
Department of Corrections
P.O. Box 942883
Sacramento, CA 94283-0001
Telephone (916) 322-9702**

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

**C. Mraz
Regulation Management Unit
Telephone (916) 322-9702**

Questions regarding the substance of the proposed regulatory action should be directed to:

**Sandi Menefee, Assistant Director
Office of Victim Services and Restitution
Telephone (916) 358-2436**

LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate, which requires reimbursement pursuant to Government Code Section 17561.

FISCAL IMPACT STATEMENT

- Cost or savings to any state agency: *None*
- Other non-discretionary cost or savings imposed on local agencies: *None*
- Cost or savings in federal funding to the state: *None*

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS

The Department has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESSES

The Department has determined that the proposed regulations may not affect small businesses. It is determined that this action has no significant adverse economic impact on small business, because they are not affected by the internal management of state prisons.

ASSESSMENTS OF EFFECTS ON JOB AND/OR BUSINESS CREATION, ELIMINATION OR EXPANSION

The Department has determined that the proposed regulation will have no effect on the creation of new or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in California.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulatory action.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared and will make available the text and the Initial Statement of Reasons of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the Department's contact person. The proposed text, Initial Statement of Reasons, and the Notice of Proposed Action will also be made available on the Department's website <http://www.cdc.state.ca.us>.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the final statement of reasons may be obtained from the Department's contact person.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this notice. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

PC Section 5054 vests with the Director the supervision, management and control of the prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of inmates.

PC Section 5058 authorizes the Director to prescribe and amend regulations for the administration of prisons.

This action will amend provisions governing restitution fine and direct order collection. These regulations allow the CDC to collect the maximum amount allowed by the Penal Code and subsequently align the CDC with the California Youth Authority (CYA), who is currently collecting restitution from its wards at a rate of 50 percent in accordance with the Welfare and Institutions Code. Both the CDC and the CYA report through the Youth and Adult Correctional Agency, therefore, by aligning the CDC's restitution collection rate with that of the CYA will not only

provide consistency in government operations, it will standardize the collection rate for all victims in California.

Subsection 3097(a) is amended to change the rate at which a direct order of restitution imposed by a court is collected from 20 percent to 30 percent. This change is necessary to gradually increase the amount of direct order restitution imposed by a court to the maximum amount allowed pursuant to Penal Code Section 2085.5. The exceptions are now enumerated in subsection (h) due to the reorganization of subsections (e) and (f). This section also includes that a total deduction of 33 percent shall remain in effect through June 30, 2004, at which time subsection (b) shall take effect. This is necessary in order to give an ending date to the 33 percent deduction and to give direction with regard to when and at what percentage rate the next increase will take effect with the purpose of gradually increasing to the maximum amount allowed by the Penal Code.

New subsection 3097(b) is adopted to provide that effective July 1, 2004, and thereafter, any direct order of restitution imposed by a court shall be deducted at a rate of 50 percent, or the balance owing, whichever is less including an administrative fee for a maximum deduction up to 55 percent. This section is necessary in order to set forth the starting date, and the rate at which the CDC is to collect the restitution fines and direct orders pursuant to Penal Code Section 2085.5.

New subsection 3097(c) is amended to change the rate at which a restitution fine imposed by a court is collected from 20 percent to 30 percent. This change is necessary to gradually increase the amount of restitution fines imposed by a court in order to eventually increase to the maximum amount allowed pursuant to Penal Code Section 2085.5. The exceptions are now enumerated in subsection (h) due to the reorganization of subsections (e) and (f). This section includes that the funds collected, less the administrative fee, shall be transferred to the Victim Compensation and Government Claims Board, formerly the State Board of Control. This section also includes that a total deduction of 33 percent shall remain in effect through June 30, 2004, at which time subsection (d) shall take effect. This is necessary in order to give an ending date to the 33 percent deduction and direction with regards to when and at what percentage rate the next increase will take effect with the purpose of gradually increasing to the maximum amount allowed by the Penal Code.

Subsection 3097 (d) is adopted to provide that effective July 1, 2004, and thereafter, any restitution fine imposed by a court shall be deducted at a rate of 50 percent, or the balance owing, whichever is less, including an administrative fee for a maximum deduction of up to 55 percent. In addition, this section

includes that the total amount deducted, less the administrative fee, shall be transferred to the Victim Compensation and Governmental Claims Board. The amount deducted, less the administrative fee, shall also be credited against the amount owing on the fine. This section is necessary in order to set forth the rate at which CDC is to collect the restitution fines and direct orders pursuant to Penal Code Section 2085.5.

New subsection 3097(e) is amended to remove the “/s” from the words direct order and fine and replace them with “(s)” for consistency purposes.

New subsection 3097(f) is amended to replace the word “on” with “from” in order to make the sentence grammatically correct. This amendment also replaces the words “in the continuous custody” with “under the jurisdiction” so that these fines and direct orders of restitution can be collected from inmates that are under the jurisdiction of the CDC, which includes when the inmate is on parole and not necessarily in the CDC’s custody.

New subsection 3097(g) is amended to state that fines and direct orders may be collected from inmates and parole violators housed in a Reception Center in addition to the previous mentioned facilities, which allows the CDC to collect from inmates regardless of their location pursuant to PC Section 2085.5. This section also states that fines and direct orders may also be collected from inmates in the Community Prisoner Mother and Family Foundation Programs and are no longer exempt.

New subsection 3097(h) is amended to provide that federal disability payments, veteran benefits, any refunds paid to an inmate as a result of a claim for lost or damaged property, or money reimbursed to an inmate due to a failed attempt to purchase merchandise are exempt from fines and direct orders of restitution. This amendment is necessary to provide instructions as to what funds are not to be used for collecting restitution.

New subsection 3097(i) is amended to reference subsections (c) and (d) in order to include the renumbered and newly adopted subsections pertaining to court imposed fine and direct order of restitution collection.

New subsection 3097(j) is amended to provide that funds originating from the inmate’s trust account to pay for a family visit or Temporary Community Leave shall have a hold placed on the amount identified by the inmate for the upcoming visit or leave. In the event that the family visit or Temporary Community Leave does not occur, then the hold previously placed on these funds shall be removed and the funds returned to the inmates trust account with no restitution deductions being made.

New subsection 3097(k) is amended to provide that in the event that a family visit does not occur, then the funds intended for the family visit, as specified on CDC Form 1839, will have a hold placed on them for future family visits, until the inmate is placed on parole, or transferred to another institution. No restitution deduction shall be made from these funds. This section was also reworded for clarity.

Subsection 3097(l) is adopted to provide that in the event that the Temporary Community Leave does not occur, then the funds indicated on Form 1839 shall be refunded to the sender. In addition, this section is necessary to ensure that funds received and intended for a Temporary Community Leave that does not occur, are returned to the sender and not placed in the inmates trust account or used for fines or direct orders.

Subsection 3097(m) is adopted to provide that in the event a Temporary Community Leave does occur, any remaining portion of the funds designated on the Form 1839, shall be refunded to the sender.

RULEMAKING PETITION DECISIONS

DEPARTMENT OF HEALTH SERVICES

November 4, 2002

Mr. Ahmed O. Alfi
Chairman and CEO
Alfigen, Inc.
11 West Del Mar Blvd.
Pasadena, CA 91105

RE: Licensure of Clinical Cytogeneticist Scientists

Dear Mr. Alfi:

By your letter dated October 2, 2002, you have petitioned the Department of Health Services (Department) to adopt emergency regulations for the licensure of NCA-accredited cytotechnologist scientists. Petitions requesting adoption of regulations are made pursuant to Government Code section 11340.7.

The Department is currently drafting regulations that define the education, training and examination requirements that would qualify a person for licensure as a clinical cytogeneticist scientist. Therefore, the Department grants your petition regarding adoption of regulations pertaining to licensure of clinical cytogeneticist scientists.

It is the intent of the Department to file these regulations on an emergency basis.

A copy of this letter will be sent to the Office of Administrative Law for publication in the California Regulatory Notice Registrar, pursuant to Government Code section 11340.7(d).

If you, or any other interested person, would like a copy of the petition or wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,

Barbara H. Yonemura
Deputy Director and
Chief Counsel

cc: Mr. R. Judd Jessup
Chairman & CEO
U.S. Pathology Labs, Inc.
2601 Campus Drive
Irvine, CA 92612
Touran M. Zadeh, M.D.
CEO and Laboratory Director
Genetics Center, Inc.
11 South Main Street, Suite E
Orange, CA 92868
Ms. Mara Aspinall, President
Genzyme Genetics
1054 Town and Country Road
Orange, CA 92868
Douglas Harrington, M.D.
CEO and Laboratory Director
Specialty Laboratories, Inc.
2211 Michigan Avenue
Santa Monica, CA 90404

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

AIR RESOURCES BOARD Vapor Recovery Systems Defects

In this regulatory action, the Air Resources Board amends its regulation pertaining to "Defects Substantially Impairing the Effectiveness of Vapor Recovery

Systems Used in Motor Vehicle Fueling Operations,” implementing Health and Safety Code section 41960.2. The regulation incorporates by reference a document entitled “Vapor Recovery Equipment Defects List” which contains a comprehensive listing of defects in vapor recovery systems.

Title 17

California Code of Regulations

AMEND: 94006

Filed 11/12/02

Effective 11/12/02

Agency Contact:

Leslie M. Krinsk (805) 473-7325

DEPARTMENT OF FOOD AND AGRICULTURE
Service Charges

This action establishes a schedule of charges, billing procedures and timeframes, and a disclaimer of liability for non-regulatory services provided by the Department such as analysis, testing, and inspection of stock, plants, seed, or plant pests and diseases. Pursuant to Food and Agricultural Code Section 5852, subdivision (h), regulations establishing charges for the services listed in subdivision (a) of that section are not subject to review by the Office of Administrative Law.

Title 3

California Code of Regulations

ADOPT: 4600, 4601, 4602, 4603

Filed 11/12/02

Effective 12/12/02

Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT

Private Fire Hydrant Test and Certification Report,
HCD MP532 (New10/01)

The Department of Housing and Community Development is amending sections 1317, 1318, and 1319, title 25, California Code of Regulations, pertaining to private fire hydrant tests and certifications making minor editorial corrections.

Title 25

California Code of Regulations

AMEND: 1317, 1318, 1319

Filed 11/07/02

Effective 12/07/02

Agency Contact: Rachel Hill (916) 327-2656

DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT

Dealer Report of Sale or Lease Forms: HCD Forms

This action removes three forms presently printed in the CCR from the Code as their publication there is unnecessary, and the Department wishes to limit the availability of such documents.

Title 25

California Code of Regulations

AMEND: 5575

Filed 11/07/02

Effective 11/07/02

Agency Contact: Lori Elliott (916) 322-1473

DEPARTMENT OF INSURANCE

Exemptions from Licensure as Insurance Agents or Brokers

This Certificate of Compliance sets forth specific activities that are exempt from insurance agent/broker licensure.

Title 10

California Code of Regulations

ADOPT: 2193, 2193.1, 2193.2 2193.3

Filed 11/07/02

Effective 11/07/02

Agency Contact: Steven Suchil (916) 492-3500

DEPARTMENT OF MANAGED HEALTH CARE
Independent Medical Review/Grievance Procedures

The proposed regulatory action amends provisions governing a health plan's grievance system for handling enrollee complaints and adopts provisions governing an enrollee's right to obtain independent medical review (IMR) of whether a procedure is medically necessary and of a health plan's denial of experimental or investigational medical treatments.

Title 28

California Code of Regulations

ADOPT: 1300.70.4, 1300.74.30 AMEND: 1300.68,
1300.68.01

Filed 11/12/02

Effective 12/12/02

Agency Contact:

Lyn Amor Macaraeg (916) 322-9727

DEPARTMENT OF PESTICIDE REGULATION

Pesticide Safety Studies Involving Human Participants

This emergency rulemaking action amends the standards for conducting a study of pesticide exposure involving human participants. (Previous file #02-0711-03E)

Title 3

California Code of Regulations

AMEND: 6000, 6710

Filed 11/07/02

Effective 11/15/02

Agency Contact: Fred Bundock (916) 324-4194

FISH AND GAME COMMISSION

Xantus's Murrelet

This emergency regulatory filing would authorize the incidental take of Xantus's Murrelet (*Synthliboramphus hypoleucus*) during its candidacy period subject to the terms and conditions specified in the regulation.

Title 14
California Code of Regulations
ADOPT: 749.2
Filed 11/07/02
Effective 11/07/02
Agency Contact: Robert Treanor
Title 22, MPP

10/28/02 ADOPT: 89202, 89261, 89319, 89323, 89370, 89372, 89374, 89376, 89388, 89400, 89405 AMEND: 87000, 87001, 87005, 87006, 87007, 87009, 87010, 87010.1, 87010.2, 87017, 87018, 87019, 87019.1, 87019.2, 87020, 87021, 87024, 87026, 87027, 87028, 87029, 87031

08/15/02 ADOPT: 110041, 110042, 110098, 110284, 110299, 110428, 110539, 110609, 112002, 112015, 112025, 112034, 112035 AMEND: 110430, 110431, 110473, 112100, 112110, 12130, 112140, 112150, 112152, 112154, 112155, 112200, 112210, 112300, 112301, 112302, REPEAL: 12

08/09/02 AMEND: 80001, 80006, 80061, 80065, 80068.3, 80071, 80075, 80077.2, 80077.3, 80077.4, 80087, 80090, 80092.1, 80092.2, 80092.3, 80092.4, 80092.6, 80092.7, 80092.8, 80092.9, 80092.10, 80092.11 REPEAL: 80095

08/09/02 ADOPT: 80075.1, 82075.2, 87575.2, 87925 AMEND: 80001, 80061, 82001, 82061, 87101, 87561, 87801, 87861
08/07/02 AMEND: 101218.1, 102419, 102421

08/07/02 AMEND: 101218.1, 102419, 102421

08/01/02 AMEND: 87101, 87565, 87566, 87568, 87589

07/24/02 ADOPT: 110000, 110042, 110046, 110088, 110099, 110109, 110129, 110135, 110147, 110148, 110150, 110164, 110182, 110184, 110186, 110194, 110200, 110220, 110224, 110230, 110252, 110261, 110289, 110341, 110410, 110431, 110436, 110445, 110456, 110474, 110478,

07/23/02 ADOPT: 87227.1, 87583.1 AMEND: 80007(a), 87101(s), 87107(a), 87114, 87118(a), 87222(a), 87561(a)(1)(A), 87585(a), 87587, 87700, 87702, 87807(a), 87854(d)

FISH AND GAME COMMISSION

Protection of Sacramento River Winter-Run Chinook Salmon

This emergency regulatory action prohibits the retention of Chinook salmon in the Sacramento River from Bend Bridge to the Carquinez Bridge from

January 1 through July 15. This action also prohibits the retention of Chinook salmon in the American River from the Jibboom Street Bridge to the river mouth from January 1 through July 15.

Title 14
California Code of Regulations
AMEND: 7.50(b)(5)(E), 7.50(b)(156)(H)

Filed 11/07/02

Effective 11/07/02

Agency Contact: John M. Duffy (916) 653-4899

**CCR CHANGES FILED WITH THE
SECRETARY OF STATE
WITHIN JULY 10, 2002
TO NOVEMBER 13, 2002**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

10/29/02 AMEND: 1, 100

Title 2

11/04/02 ADOPT: 549.95

11/04/02 ADOPT: 1859.70.1, 1859.71.3, 1859.78.5, 1859.78.6, 1859.78.7, 1859.93.1, 1859.120, 1859.121, 1859.122, 1859.122.1, 1859.122.2, 1859.123, 1859.124, 1859.124.1, 1859.125, 1859.125.1, 1859.126, 1859.127, 1859.128, 1859.129, 1859.130, 1859.140, 1859.141, 1859

10/31/02 AMEND: 51000

10/31/02 ADOPT: 18531.7

10/24/02 ADOPT: 2351

10/09/02 AMEND: 18539.2

10/04/02 AMEND: 1859.81, 1859.91

10/04/02 ADOPT: 18544

09/16/02 AMEND: 1859.79, 1859.79.3, 1859.81.1, 1859.83, 1859.107

09/12/02 AMEND: 18110, 18401, 18404.1, 18451, 18540, 18705.4, 18997

09/09/02 AMEND: 1859.92, 1859.104, 1859.105, 1859.107

08/19/02 ADOPT: 18535

08/14/02 ADOPT: 56, 56.1, 56.2, 56.3, 56.4, 56.5, 56.6, 56.7, 56.8

08/12/02 ADOPT: 1859.71.2, 1859.78.4, 1859.108 AMEND: 1859.50, 1859.70, 1859.72, 1859.73.1, 1859.73.2, 1859.74.1,

1859.75.1, 1859.76, 1859.78.2,
1859.79.3, 1859.81, 1859.81.1, 1859.82,
1859.100, 1859.101, 1859.102, 1859.107
08/12/02 ADOPT: 57.1, 57.2, 57.3, 57.4
08/07/02 ADOPT: 59000
07/31/02 ADOPT: 18450.1
07/25/02 AMEND: 2970
07/11/02 AMEND: 554.6
07/11/02 AMEND: 18707.4
07/11/02 ADOPT: 1859.200, 1859.201, 1859.202,
1859.203, 1859.204, 1859.205, 1859.206,
1859.207, 1859.208, 1859.209, 1859.210,
1859.211, 1859.212, 1859.213, 1859.214,
1859.215, 1859.216, 1859.217, 1859.218,
1859.219, 1859.220

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11/12/02 ADOPT: 4600, 4601, 4602, 4603
11/07/02 AMEND: 6000, 6710
11/01/02 AMEND: 3417(b)
10/28/02 AMEND: 3604(b)
10/24/02 AMEND: 1380.19, 1430.10, 1430.12,
1430.14, 1430.26, 1430.27, 1430.32,
1430.45, 1430.50, 1430.51
10/17/02 ADOPT: 3650, 3651, 3652, 3653, 3654,
3655, 3656, 3657, 3658, 3659, 3660,
3661, 3662, 3663, 3663.5
10/09/02 AMEND: 1380.19(h), 1420.10, 1442.7
REPEAL: 1420.9, 1442.10
09/19/02 ADOPT: 6450, 6450.1, 6450.2, 6450.3,
6784 AMEND: 6000 REPEAL: 6450,
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09/10/02 AMEND: 3700(c)
09/09/02 AMEND: 6414
08/30/02 AMEND: 3423(b)
08/29/02 AMEND: 1408.3
08/19/02 ADOPT: 3664, 3665, 3666, 3667, 3668,
3669
08/14/02 AMEND: 6172, 6192, 6200, 6252
08/13/02 AMEND: 3423(b)
07/25/02 AMEND: 3423(b)
07/23/02 ADOPT: 7015
07/18/02 AMEND: 6000, 6710
07/11/02 AMEND: 3700(b)

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10/15/02 ADOPT: 1867
10/07/02 ADOPT: 12300, 12301, 12302, 12303,
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09/12/02 ADOPT: 8110, 8111, 8112, 8113, 8114,
8115, 8116, 8117, 8118, 8119, 8120,
8121, 8122, 8123, 8124, 8125
09/03/02 AMEND: 1107
08/15/02 ADOPT: 4144
08/13/02 AMEND: 7000, 7001, 7002, 7003,
7003.5, 7004, 7005, 7006, 7007, 7008,
7009, 7010, 7011, 7012, 7013, 7013.1,
7013.5, 7014, 7015, 7016, 7017

08/08/02 AMEND: 8072, 8074
07/30/02 AMEND: 2050

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10/21/02 AMEND: 18301
10/17/02 ADOPT: 80434 AMEND: 80001
08/15/02 ADOPT: 11980, 11981, 11982, 11983,
11984, 11985,
08/13/02 ADOPT: 11969.10 REPEAL: 11969.9
07/31/02 AMEND: 30950, 30951.1, 30952, 30953,
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07/30/02 ADOPT: 11969.1, 11969.2, 11969.3,
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80112, 80113, 80114, 80115
07/12/02 AMEND: 51010, 53000, 53001, 53002,
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10/01/02 AMEND: 3457(b)
09/25/02 AMEND: 451, 527
09/19/02 AMEND: 14004, 14005
09/12/02 AMEND: 1671.2
09/09/02 ADOPT: 13635.1, 13655, 13656, 13657,
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09/03/02 ADOPT: 20299
08/26/02 ADOPT: 340.40, 340.41, 340.42, 340.43,
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08/05/02 AMEND: 3362
07/31/02 AMEND: 4799
07/30/02 ADOPT: 290.0, 290.1, 291.0, 291.1,
291.2, 291.3, 291.4, 291.5, 292.0, 293.0,
294.0, 295.0
07/11/02 AMEND: 3241(a)

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07/31/02 ADOPT: 9851, 9874 AMEND: 9800,
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11/07/02 ADOPT: 2193, 2193.1, 2193.2 2193.3
11/04/02 ADOPT: 2698.99
10/31/02 ADOPT: 2632.13
10/16/02 ADOPT: 2660 AMEND: 2646.2, 2648.4,
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2655.10, 2656.1, 2656.2, 2656.3, 2656.4,
2657.2, 2658.1, 2659.1, 2661.3, 2697.3

09/25/02 ADOPT: 2698.90, 2698.91
 09/25/02 AMEND: 250.9.1(a), 250.12(a), 250.51,
 350.60(a), 260.001, 260.100.1,
 260.100.3, 260.102.4(b), 260.102.8(b),
 260.102.16, 260.103, 260.105.28,
 260.105.33, 260.111, 260.112, 260.113,
 260.121, 260.131, 260.140.71.2,
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 09/19/02 AMEND: 2851, 2851.1
 08/30/02 AMEND: 5101
 08/29/02 AMEND: 2698.200, 2698.201, 2698.301,
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 08/28/02 ADOPT: 2278, 2278, 2278.1, 2278.2,
 2278.3, 2278.4, 2278.5
 08/28/02 AMEND: 2698.73
 08/27/02 AMEND: 2632.5(d)(11)
 08/20/02 ADOPT: 1729, 1741.5, 1950.302
 AMEND: 1741.5
 08/19/02 AMEND: 2130.3
 08/15/02 ADOPT: 5480, 5480.1, 5480.2, 5480.3,
 5480.4, 5480.5, 5480.6, 5480.7, 5480.8
 08/12/02 AMEND: 2318.6
 08/12/02 AMEND: 2318.6, 2353.1
 08/05/02 REPEAL: 310.100.1
 07/10/02 ADOPT: 1422, 1423

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10/10/02 ADOPT: 435, 436, 437, 438, 439, 440,
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 481, 482, 483, 48
 10/07/02 ADOPT: 1012 AMEND: 1001, 1004,
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 09/18/02 ADOPT: 61.8
 08/29/02 AMEND: 3000, 3001, 3003, 3007 , 3008
 08/27/02 AMEND: 1070, 1082
 08/13/02 AMEND: 1005

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11/04/02 ADOPT: 225.00, 225.03, 225.06, 225.09,
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 225.27, 226.30, 225.33, 225.36, 225.39,
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 225.72, and related forms
 10/18/02 AMEND: 1956.8
 09/16/02 AMEND: 1960.1, 1960.5, 1961, 1962,
 07/25/02 AMEND: 422.01
 07/22/02 ADOPT: 2444.2 AMEND: 2111, 2112,
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 2443.1, 2443.2, 2443.3, 2444, 2445.1,
 2445.2, 2446
 07/10/02 AMEND: 1213.1, 1230, 1239

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09/12/02 ADOPT: 1969, 60060.1, 60060.2,
 60060.3, 60060.4, 60060.5, 60060.6,
 60060.7

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11/07/02 ADOPT: 749.2
 11/07/02 AMEND: 7.50(b)(5)(E), 7.50(b)(156)(H)
 10/28/02 ADOPT: 4971
 10/28/02 AMEND: 1058.5
 10/24/02 ADOPT: 17211, 17211.1, 17211.2,
 17211.3, 17211.4, 17211.5, 17211.6,
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 10/21/02 AMEND: 163, 163.5, 164
 10/15/02 AMEND: 2030
 10/09/02 ADOPT: 819.06, 819.07 AMEND:
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 818.03, 819, 819.01, 819.02.8, 19.03,
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 10/09/02 AMEND: 502, 507(c)
 10/08/02 AMEND: 2135
 10/03/02 AMEND: 3502
 10/03/02 ADOPT: 3810, 3811, 3812, 3813, 3814,
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 10/01/02 ADOPT: 3940, 3941, 3942, 3943, 3944,
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 10/01/02 AMEND: 3650, 3652, 3653, 3655, 3656,
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 09/30/02 AMEND: 3901, 3909, 3910
 09/30/02 AMEND: 17400, 17402, 17402.5
 09/19/02 AMEND: 3626, 3627, 3628
 09/18/02 AMEND: 300(a) REPEAL: 502.1
 09/12/02 ADOPT: 105.5 REPEAL: 195
 09/12/02 AMEND: 120.3
 09/09/02 AMEND: 550, 551, 552
 09/09/02 ADOPT: 712
 09/04/02 ADOPT: 104.1
 08/28/02 ADOPT: 786.7, 786.8 AMEND: 786.0,
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 08/26/02 ADOPT: 18090.0, 18090.1, 18090.2,
 18090.3, 18091.1, 18092.0, 18093.0,
 18093.1, 18094.0 AMEND: 18011
 08/21/02 AMEND: 7.50 (b)(212)
 08/13/02 ADOPT: 844.3, 844.4, 844.5 AMEND:
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 843.2, 843.3, 843.4, 843.6, 843.7, 843.8,
 843.9, 844, 844.1, 844.2, 844.6, 844.7,
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 08/12/02 ADOPT: 150.02, 150.04
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 08/06/02 AMEND: 28.59
 07/31/02 ADOPT: 50.00, 50.01, 50.02, 50.03,
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 155.05, 155.10 AMEND: 109
 07/25/02 ADOPT: 18085, 18086, 18087, 18088
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07/25/02 AMEND: 791.7; Forms FG OSPR-1925, FG OSPR-1947, and FG OSPR-1972.
 07/17/02 AMEND: 2090, 2105, 2420, 2425, 2530, 2690 renumbered to 2850
 07/15/02 ADOPT: 916.13, 936.13, 956.13, 916.13.1, 936.13.1, 956.13.1, 916.13.2, 936.13.2, 956.13.2, 916.13.3, 936.13.3, 956.13.3, 916.13.4, 936.13.4, 956.13.4, 916.13.5, 936.13.5, 956.13.5, 916.13.6, 936.13.6, 956.13.6, 916.13.7, 936.13.7, 956.13.7, 916.13.8, 936
 07/12/02 AMEND: 895.1, 898, 914.8, 934.8, 954.8, 916, 936, 956, 916.2, 936.2, 956.2, 916.9, 936.9, 956.9, 916.11, 936.11, 956.11, 916.12, 936.12, 956.12, 923.3, 943.3, 963.3, 923.9, 943.9, 963.9

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10/04/02 AMEND: 3025, 3315
 09/30/02 AMEND: 3006
 08/27/02 ADOPT: 3375.5 AMEND: 3000, 3375, 3375.1, 3375.2, 3375.3, 3375.4, 3377
 08/19/02 ADOPT: 3426
 07/24/02 ADOPT: 3220.2, 3220.3 AMEND: 3220, 3220.1
 07/12/02 AMEND: 3000, 3454, 3456, 3457, 3458, 3459, 3460, 3462, 3463, 3464

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10/23/02 ADOPT: 1777, 1777.1, 1777.2, 1777.3, 1777.4, 1777.5, 1778, 1778.1, 1778.2, 1778.3
 10/08/02 AMEND: 308
 10/02/02 ADOPT: 306.3
 09/24/02 AMEND: 1999.5
 09/23/02 AMEND: 306.2
 09/13/02 AMEND: 1811
 09/11/02 ADOPT: 1706.5, Article 5, Article 6, Article 7, Article 8, Article 10, Article 10.1. AMEND: 1703, 1704, 1705, 1706, 1706.1, 1707.1, 1707.3, 1708.2, 1708.3, 1708.4, 1709, 1710, 1715.6, 1716, 1716.1, 1716.2, 1717, 1717.1, 1717.2, 1717.4, 1718, 1718.1, 171
 09/10/02 AMEND: 331-12.2(e)
 09/10/02 AMEND: 1305, 1306, 1328
 09/09/02 AMEND: 438
 08/20/02 AMEND: 1382.3
 08/08/02 AMEND: 1707.2
 08/07/02 ADOPT: 4140, 4141, 4142, 4143
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 07/31/02 AMEND: 2473
 07/30/02 AMEND: 1399.523
 07/26/02 AMEND: 3340.16, 3340.16.5, 3340.17, 3340.32, 3340.42, 3340.50 REPEAL: 3340.16.7
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11/12/02 AMEND: 94006
 10/29/02 AMEND: 54000, 54001
 10/08/02 AMEND: 93105(a)(1)
 09/24/02 AMEND: 6020, 6025, 6035, 6050, 6051, 6065, 6070, 6075
 09/04/02 ADOPT: 94200, 94201, 94202, 94203, 94204, 94205, 94206, 94207, 94208, 94209, 94210, 94211, 94212, 94213, 94214
 08/29/02 AMEND: 57332
 08/22/02 ADOPT: 33001, 33002, 3303, 33004, 33005, 33006, 33007, 33008, 33010, 33011, 33012, 33013, 33014, 33015, 33025, 33050 AMEND: 33020, 33030, 33040 REPEAL: 33001, 33010
 08/20/02 ADOPT: 93112
 08/19/02 ADOPT: 94164, 94165 AMEND: 94010, 94011, 94153, 94155, 94163,
 08/08/02 AMEND: 58420
 08/08/02 AMEND: 30253
 07/22/02 ADOPT: 93105
 07/17/02 ADOPT: 2638 AMEND: 2500, 2502, 2505, 2551, 2552, 2553, 2596, 2614, 2626

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10/08/02 AMEND: 24344(c)
 09/19/02 AMEND: 305.1
 09/03/02 ADOPT: 1534
 09/03/02 AMEND: 1540
 09/03/02 AMEND: 1541
 08/20/02 AMEND: 1528
 08/19/02 AMEND: 1543

Title 19

10/21/02 AMEND: 981.3(a)(b)(d)
 10/10/02 ADOPT: 2735.3(rr), 2770.4.1 AMEND: 2735.3(rr) to (zz), 2770.5
 09/12/02 ADOPT: 2575, 2575.1, 2575.2, 2576, 2576.1, 2577, 2577.1, 2577.2, 2577.3, 2577.4, 2577.5, 2577.6, 2577.7, 2577.8, 2578, 2578.1, 2578.2, 2578.3
 09/12/02 ADOPT: 2575, 2575.1, 2575.2, 2576, 2576.1, 2577, 2577.1, 2577.2, 2577.3, 2577.4, 2577.5, 2577.6, 2577.7, 2577.8, 2578, 2578.1, 2578.2

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10/28/02 ADOPT: 1601, 1602, 1602.1, 1603, 1604, 1605, 1605.1, 1605.2, 1605.3, 1606, 1607, 1608 REPEAL: 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608

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11/05/02 AMEND: 1256-9, 1253. 12-1, 1030(a)-1
 10/31/02 ADOPT: 64806

10/28/02 ADOPT: 110250, 110374, 117016,
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10/21/02 ADOPT: 110226, 110242, 110251,
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116036, 116038, 116042, 116061, 116062,
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10/09/02 ADOPT: 111900, 111910, 111920,
121100, 121120, 121140 REPEAL:
(MPP) 12-435

10/07/02 AMEND: 5000, 5065, 5102

09/30/02 ADOPT: 110550 AMEND: 110413,
113100, 113200, 113300 REPEAL: 12-
401.1, 12-104.432

09/23/02 AMEND: 66261.9

09/03/02 AMEND: 40633

09/03/02 ADOPT: 69100, 69101, 69102, 69103,
69104, 69105, 69106, 69107

08/27/02 AMEND: 12601, 12201

08/22/02 ADOPT: 110385, 110449, 110554,
118020, 118203

08/21/02 AMEND: Chapter 1; Section 7000

08/14/02 ADOPT: 111560

08/06/02 ADOPT: 63000.17, 63000.47, 63000.66,
63000.70, 63000.81, 63000.84, 63000.85,
63000.86, 63000.87, 63000.88, 63015,
63058 AMEND: 63000.19, 63000.37 (and
renumbered to 63000.67), 63000.40,
63000.43, 63000.62, 63000.86 (and re-
numbered to 63000.89), 63000.89

08/06/02 ADOPT: 66273.6, 66273.80, 66273.81,
66273.82, 66273.83, 66273.84, 66273.85,
66273.86, 66273.87, 66273.68, 66273.69,
66273.90 AMEND: 66271.9, 66273.1,
66273.8, 66273.9

08/05/02 AMEND: 68200, 68201, 68202, 68203,
68204, 68205, 68206, 68207, 68208,
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68214

08/01/02 AMEND: 66262.54, 66264.71, 66264.72,
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07/22/02 ADOPT: 111550

07/18/02 AMEND: 12705, 12805

07/16/02 AMEND: 51503, 51503.2, 51504,
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51507.2, 51507.3, 51509, 51509.1,
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51529, 51535.5

07/15/02 ADOPT: 64860

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10/28/02 ADOPT: 89202, 89261, 89319, 89323,
89370, 89372, 89374, 89376, 89388,
89400, 89405 AMEND: 87000, 87001,
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87010.1, 87010.2, 87017, 87018, 87019,
87019.1, 87019.2, 87020, 87021, 87024,
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80077.3, 80077.4, 80087, 80090,
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80092.6, 80092.7, 80092.8, 80092.9,
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07/23/02 ADOPT: 87227.1, 87583.1 AMEND:
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 .21(h)(l), .3; 44-133.8; 82-833 AMEND:
 40-107.14, 16, .17, .18, .19; 42-301.2;
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